

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DREW LEE and FELIX LUFKIN,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

HDR GLOBAL TRADING LIMITED, ABS
GLOBAL TRADING LIMITED, 100X
HOLDINGS LIMITED, SHINE EFFORT
INC LIMITED, HDR GLOBAL SERVICES
(BERMUDA), ARTHUR HAYES, BEN
DELO, GREG DWYER, and SAMUEL
REED,

Defendants.

Case No. 1:20-cv-03232 (ALC) (SDA)

**DECLARATION OF JORDAN A. GOLDSTEIN IN SUPPORT OF PLAINTIFF FELIX
LUFKIN'S MOTION FOR ORDER GRANTING LEAVE FOR SELENDY GAY PLLC
TO WITHDRAW AS COUNSEL FOR PLAINTIFF DREW LEE AND FOR ORDER TO
SHOW CAUSE**

I, Jordan A. Goldstein, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct.

1. I am a partner of the law firm Selendy Gay PLLC ("SG"). I am over the age of 18 and competent to make this declaration. I submit this Declaration based on my personal knowledge, in support of Plaintiff Lufkin's Motion for Order Granting Leave for Selendy Gay PLLC to Withdraw as Counsel for Plaintiff Drew Lee and for Order to Show Cause ("Motion").

2. SG is counsel of record for Plaintiffs Drew Lee and Felix Lufkin in the above-captioned action.

3. SG initially represented Plaintiff Lee and former Plaintiff Brett Messieh in the above-captioned putative class action. Plaintiff Lee and former Plaintiff Messieh filed the initial

complaint in the above-captioned matter on April 23, 2020. Dkt. 1. On June 4, 2020, the Court appointed SG as Interim Class Counsel pursuant to Federal Rule of Civil Procedure 23(g)(3). Dkt. 32. Plaintiff Lee and former Plaintiff Messieh filed the Second Amended Complaint (“SAC”) on March 21, 2023. *See* Dkts. 1, 115. Thereafter, Defendants moved to dismiss the SAC. *See* Dkts. 120, 123. On April 3, 2024, the Court denied in full Defendants’ motion to dismiss. *See* Dkt. 145.

4. The Court granted SG’s motion to withdraw from representing Mr. Messieh on June 21, 2024, Dkt. 182, and the Court dismissed Mr. Messieh from this action at his request (made *pro se*) on September 11, 2024, Dkt. 203. On October 3, 2024, the Court granted leave for Plaintiff Lufkin to join this action as an additional named plaintiff. Dkt. 213. Plaintiffs Lee and Lufkin filed the operative Third Amended Complaint (“TAC”) on October 7, 2024, to reflect the addition of Mr. Lufkin as a named plaintiff. Dkt. 214. The filing of the TAC did not disrupt fact discovery, which remains ongoing pursuant to the operative Amended Fact Discovery Schedule, Dkt. 222. The Court entered a Stipulated Deposition Protocol on March 12, 2025. Dkt. 236.

5. As of the filing of the Motion, no depositions have been noticed or taken.

6. Since March 13, 2025, I have sent four emails attempting to contact Mr. Lee regarding depositions and other matters in this action. Mr. Lee has not acknowledged receipt of or otherwise responded to any of these emails.

7. On March 31, 2025, I sent Mr. Lee an email stating that SG intended to withdraw from representing him. Mr. Lee has not responded to or acknowledged receipt of my March 31 email.

8. If the Court grants leave for SG to withdraw as counsel for Mr. Lee, SG will continue to serve as Interim Class Counsel and counsel of record for Felix Lufkin, who will remain a named plaintiff.

9. SG is not asserting any retaining or charging lien against Mr. Lee in connection with this matter.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 1, 2025.

New York, New York



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